

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CLOSE-UP INTERNATIONAL, INC.

Plaintiff,

- against -

JOSEPH BEROV, 3052 WEST 21st STREET, LLC,
TACONIC INVESTMENT PARTNERS, LLC,
TACONIC BOARDWALK PRINCIPALS, LLC,
CONEY CHILDS LENDER, LLC, CONEY ISLAND
HOLDINGS, LLC and CHILDS ASSOCIATES, LLC,

Defendants.
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Civil Action No. 10-CV-0404

PROPOSED ORDER
CANCELLING NOTICE OF
PENDENCY

WHEREAS, Plaintiff filed its Complaint in this action on February ¹/₁₀, 2010;

WHEREAS, Plaintiff filed a Notice of Pendency encumbering the real property subject to this action, identified as 3052 West 21st Street, Brooklyn, New York 11224, Block 7071, Lot 130, on or about April 5, 2010 with the Clerk of Kings County;

WHEREAS, the Court granted Defendants' Motion to Dismiss in full on March 18, 2011, and judgment was issued in favor of Defendants on March 21, 2011;

WHEREAS, Plaintiff has not appealed the judgment and its time to do so has since expired;

NOW THEREFORE, IT IS HEREBY ORDERED that the notice of pendency filed by Plaintiff, indexed as 10CV0404 in Kings County, State of New York, is hereby canceled, and Defendants are directed to serve a copy of this order upon the Clerk of Kings County, who is directed to cancel said notice of pendency.

SO ORDERED: 2/10/12

s/ BMC

Hon. Brian M. Cogan

